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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/641,028	08/17/2000	David L. Multer	FUSN1-01016USO LEV/JAV	4541

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EXAMINER

MOFIZ, APU M

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/641,028

Applicant(s)

MULTER ET AL. *vit*

Examiner

Apu M Mofiz

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on the amendment was filed on 07/21/2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

DIANE D. MIZRAHI  
PRIMARY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

24

### DETAILED ACTION

1. Applicant's amendment filed July 21, 2002 with respect to claims 1-17 necessitated the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kucala et al. (U.S. Patent No. 5,727,202 and Kucala hereinafter).

As to claims 1,4,5,6 and 7, Kucala teaches a synchronization method, which comprises providing a first data package (i.e. modified calendar data comes to the backup directory; the backup calendar file is then updated by the modified calendar data) (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16) having a first transaction including an identification number, an action, and a plurality of fields each with an attribute representing change information (i.e. in any synchronization system along with data, the status of the data has to be sent e.g. record/ field number/information, time stamp, index field, group of fields, format information and other information that can be used for record compares) (Fig. 2; Fig. 3; col 2, lines 1-67;

Art Unit: 2175

col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); providing a second data package (i.e. essentially there is no difference between first data package and the second data package; In a multi application synchronization system it is just modified data from an application; the applications can be in one PC or distributed over a network, which is widely used in the contemporary technology) having a second transaction made subsequent to the first transaction, the second transaction having an identification number, an action, and a field with an attribute (i.e. the second application e.g. the PC calendar application making some modifications to its data after the modifications of the palmtop computer. As a matter of fact they can make any modifications independently of each other) (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); determining whether the identification number of the second transaction corresponds to the identification number of the first transaction (i.e. comparing the records from the palmtop and PC calendar files) ((Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); determining whether the field of the second transaction corresponds to one of the fields of the first transaction (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); combining (i.e. synchronizing), when the identification numbers of the first and second transactions correspond to one another and the field of the second transaction corresponds to one of the fields of the first transaction, the first and second data packages to define a combined data package (i.e. the reconcile file) having a combined transaction with the identification number (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); and replacing the second data package (i.e. replacing the palmtop or

Art Unit: 2175

the PC calendar data depending on where the changes happened) with the combined data package (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); and replacing the second data package with the combined data package (replacing the PC or palmtop calendar data with the reconcile file)(Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16).

As to claim 2, Kucala teaches deleting the first data package (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16).

As to claim 3, Kucala teaches determining the type of action of the second transaction (i.e. what kind of modification e.g. update, add or delete (i.e. the standard database operations) (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); defining, when the action of the second transaction is "Add," the combined transaction to include an "Add" action and the corresponding field and the attribute of the second transaction (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); defining when the action of the second transaction is "modify," the combined transaction to include an "add" action and the corresponding field and the attribute of the second transaction (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16); and defining, when the action of the second transaction is "delete," the combined transaction to include a "delete" action and the corresponding field (Fig. 2; Fig. 3; col 2, lines 1-67; col3, lines 1-67; col 4, lines 1-67; col 5, lines 1-16).

As to claims 8-17, the limitations of these claims are either taught or suggested in the rejected claims of 1-7.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Points of Contact***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (703) 605-

Art Unit: 2175

4240. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached at (703) 3053830. The fax numbers for the group is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Apu M. Mofiz  
Patent Examiner  
Art Unit 2175

August 06, 2003

~~DIANE B. MIZRAHI~~  
~~PRIMARY PATENT EXAMINER~~  
~~TECHNOLOGY CENTER 2100~~